

EXHIBIT 3



L A W O F F I C E S O F
D A L E K . G A L I P O

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April 3, 2024

VIA U.S. MAIL and E-Mail:

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Re: *Margarito T. Lopez, et al. v. City of Los Angeles, et al.*
Case No.: 2:22-cv-07534-FLA-MAA

Dear Counsel:

On April 2, 2024, our office received a phone call from Mr. Steven Sherman, an attorney representing the Riverside County Sheriff's Department inquiring about a subpoena that Defendants Jose Zavala and Julio Quintanilla served on his client on or about March 20, 2024 requesting employment records for Plaintiffs' expert Scott A. DeFoe from his tenure at the Riverside County Sheriff's Department. Plaintiffs' counsel was never served a Notice of Subpoena, nor a copy of the Subpoena itself, in violation of Federal Rule of Civil Procedure 45(a)(4). Furthermore, the subpoena is untimely, having been served on the custodian of records after the fact discovery cutoff, with a compliance date after the expert discovery cutoff of March 29, 2024. The Court's Scheduling and Case Management Order states that the discovery cut-off date is the date by which "all discovery... must be completed," including written discovery and depositions. (Dkt. No. 27, at p. 4). See also *Glob. Master Int'l Grp., Inc. v. Esmond Nat., Inc.*, No. 219CV10360RGKPLA, 2021 WL 3260606 at * 4-5 (C.D. Cal. Apr. 30, 2021) (finding that Plaintiffs' third-party subpoenas served shortly before the fact discovery cutoff were untimely and did not comply with the court's scheduling order).



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Based on the foregoing, Plaintiffs respectfully request that Defendants Jose Zavala and Julio Quintanilla withdraw their subpoena issued to the Riverside County Sheriffs' Department by April 5, 2024. Please serve Plaintiffs' counsel on the notice of withdrawal of all subpoenas that your office has served, of which Plaintiffs' counsel were not served or notified. If you wish to meet and confer to discuss this matter further, I am available Friday, April 5, 2024 at any time.

Thank you,

Shannon J. Leap

Shannon J. Leap